

UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF
GEORGIA, COLUMBUS DIVISION

Glorice McPherson v. T-Mobile, et al.

McPherson · No. 4:25-cv-78-CDL-AGH · Decided March 5, 2026

SUMMARY

The United States District Court for the Middle District of Georgia adopted a magistrate judge’s Report and Recommendation after conducting a de novo review. The court overruled the plaintiff’s objections and denied her request to amend the complaint because the request was improperly embedded in the objections.

CASE DETAILS

COURT	United States District Court for the Middle District of Georgia, Columbus Division
WRITING FOR THE COURT	Clay D. Land
JURISDICTION	United States District Court for the Middle District of Georgia, Columbus Division
DECIDED	March 5, 2026
DOCKET	4:25-cv-78-CDL-AGH
DISPOSITION	other
PROCEDURAL POSTURE	After de novo review of the magistrate judge's Report and Recommendation and Plaintiff's objections, the district court adopted and approved the Report and Recommendation and denied Plaintiff's embedded request for leave to amend her complaint.
STANDARD OF REVIEW	De novo review of the record and Plaintiff's objections to the Report and Recommendation.
PRECEDENTIAL VALUE	unknown
PARTIES	Glorice McPherson v. T-Mobile, et al.

TOPICS

- motion to amend
- pleadings
- civil procedure

PRACTICE AREAS

QUESTIONS PRESENTED

1. Whether Plaintiff's objections to the magistrate judge's Report and Recommendation had merit.
2. Whether Plaintiff's request for leave to amend her complaint, embedded in her objections to the Report and Recommendation, was properly presented.

HOLDINGS

1. A request for leave to amend a complaint embedded within an opposition or other filing that does not properly raise the amendment issue is procedurally improper; Plaintiff's embedded request for leave to amend was therefore denied.
2. The court approved, adopted, and made the magistrate judge's Report and Recommendation the Order of the Court after de novo review, finding Plaintiff's objections meritless.

KEY QUOTATIONS

"Where a request for leave to file an amended complaint simply is imbedded within an opposition memorandum, the issue has not been raised properly."

FACTUAL BACKGROUND

The opinion concerns Plaintiff's objections to a magistrate judge's Report and Recommendation in an action against T-Mobile and other defendants. In her objections, Plaintiff also sought leave to amend her complaint. The district court found the objections meritless and determined that the request to amend was improperly presented within the objections.

PROCEDURAL HISTORY

The United States Magistrate Judge filed a Report and Recommendation on February 12, 2026. Plaintiff filed objections and requested leave to amend her complaint within those objections. The district court conducted de novo review, found the objections meritless, adopted and approved the Report and Recommendation, and denied the request to amend.

DISPOSITION

other

CASES CITED

- Rosenberg v. Gould, 554 F.3d 962, 967 (11th Cir. 2009)
- Posner v. Essex Insurance Co., 178 F.3d 1209, 1222 (11th Cir. 1999)

OPINION

MCPHERSON

PER CURIAM.

IN THE UNITED STATES DISTRICT COURT

FOR THE MIDDLE DISTRICT OF GEORGIA

COLUMBUS DIVISION

GLORICE MCPHERSON, *

Plaintiff, * vs. *

CASE NO. 4:25-cv-78-CDL-AGH

T-MOBILE, et al. * Defendants. *

O R D E R

After a de novo review of the record in this case, the Report and Recommendation filed by the United States Magistrate Judge on February 12, 2026 is hereby approved, adopted, and made the Order of the Court. The Court considered Plaintiff's objections to the Report and Recommendation and finds that they lack merit. Further, Plaintiff's request for leave to amend her complaint in her objections to the Report and Recommendation is improper. See *Rosenberg v. Gould*, 554 F.3d 962, 967 (11th Cir. 2009) ("Where a request for leave to file an amended complaint simply is imbedded within an opposition memorandum, the issue has not been raised properly.") (quoting *Posner v. Essex Ins. Co.*, 178 F.3d 1209, 1222 (11th Cir. 1999)). Accordingly, Plaintiff's request for leave to amend her complaint is denied. IT IS SO ORDERED, this 5th day of March, 2026. S/Clay D. Land CLAY D. LAND, Judge